



Maine Rural Water Association
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December 27, 2006

Dick Darling
Maine DEP
17 State House Station
Augusta, ME 04333-0017

RE: Chapter 531, Regulations for Wastewater Operator Certification
Proposed Rule Number: 2005-P304

Dear Dick,

The Maine Rural Water Association (MRWA) represents approximately 500 water and wastewater facilities throughout Maine. These facilities in turn employ thousands of water and wastewater operators who protect public health and the environment on a daily basis.

Our Association provides professional, DEP and DHS certified, training to over 3,000 operators per year. Our water and wastewater operator certification programs date back to the early 1980's. It is with this background that we offer the following remarks:

- The proposed rulemaking does not address the educational needs of wastewater operators nor does it protect the environment.
- According to the Rule Summary, DEP anticipates transferring the administration of the Certification Program to an outside organization. At MRWA's annual meeting, DEP stated they planned to have NEIPCC/JETCC take over administration of the certification program. Essentially, this rulemaking is designed to fund the non-profit educational organization that DEP chose not to fund out of its budget and the Legislature chose not to fund out of a general fund appropriation.
- In Section 4.D., this rulemaking eliminates all references to operator certification fee structure, removing any oversight or control of fees via the rulemaking (or legislative) process. This rulemaking provides no assurances, no budgetary constraints and no processes to protect wastewater operators or POTW's budgets.
- During a powerpoint presentation at MRWA's annual meeting DEP projected that all certification fees would significantly increase under this proposal.

We encourage the Department to rethink and rework this proposal.

Sincerely,

Steve Levy